

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:11-cr-00398-FDW

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JARVIS DEMOND HEMPHILL,)
)
Defendant.)
)

ORDER

THIS MATTER is before the Court on the Defendant's "Motion Requesting a Judicial Recommendation Concerning Length [sic] of RRC (Halfway House) Placement Under the Second Chance Act of 2007." (Doc. No. 75).

Defendant moves the Court for a recommendation concerning placement in a residential reentry center (i.e., a halfway house) for the last twelve months of his sentence. The Bureau of Prisons (BOP), not the Court, has the authority to designate the location of an inmate's place of imprisonment, including his placement at a halfway house or a similar facility. See 18 U.S.C. § 3621(b) ("The Bureau of Prisons shall designate the place of the prisoner's imprisonment"); see also 18 U.S.C. § 3624(c)(1) ("The Director of the Bureau of Prisons shall, to the extent practicable, ensure that a prisoner serving a term of imprisonment spends a portion of the final months of that term (not to exceed 12 months), under conditions that will afford that prisoner a reasonable opportunity to adjust to and prepare for the reentry of that prisoner into the community. Such conditions may include a community correctional facility."). Accordingly, Defendant's request for a recommendation from this Court regarding his placement at a halfway house is denied.

IT IS, THEREFORE, ORDERED that Defendant's "Motion Requesting a Judicial Recommendation Concerning Lenght [sic] of RRC (Halfway House) Placement Under the Second Chance Act of 2007," (Doc. No. 75), is DENIED.

IT IS SO ORDERED.

Signed: October 28, 2021


Frank D. Whitney
United States District Judge